

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,	:	No. 18-cr-681 (S-1) (WFK)
	:	
- against -	:	ECF Case
	:	
JEAN BOUSTANI, <u>et al.</u> ,	:	
Defendants.	:	Dated: October 2, 2019
	:	
	:	
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**DEFENDANT JEAN BOUSTANI'S UNOPPOSED MOTION
FOR LIMITED UNSEALING OF PLEA DOCUMENTS**

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Attorneys for Defendant Jean Boustani

Defendant Jean Boustani respectfully submits this unopposed motion for limited unsealing of four documents that the Government filed under seal in connection with the guilty pleas entered in this case by Detelina Subeva and Andrew Pearse. The Government consents to Mr. Boustani's motion for limited unsealing of these four documents (the "Sealed Plea Documents").

I. THE SEALED PLEA DOCUMENTS SHOULD BE UNSEALED FOR THE LIMITED PURPOSE OF COMPLIANCE WITH THIS COURT'S JULY 30, 2019 ORDER.

On May 20, 2019, Ms. Subeva pled guilty to one count of conspiracy to commit money laundering. In connection with Ms. Subeva's guilty plea, the Government filed, under seal, a letter concerning Ms. Subeva's release on bail, as well as a copy of Ms. Subeva's plea agreement with the Government. (May 20th Hr'g Tr. 14:7-16; 35:21-23.) On July 19, 2019, Mr. Pearse pled guilty to one count of conspiracy to commit wire fraud. In connection with Mr. Pearse's guilty plea, the Government filed, under seal, a letter concerning Mr. Pearse's release on bail, as well as a copy of Mr. Pearse's plea agreement with the Government.¹ (July 19th Hr'g Tr. 11:12-24; 12:11-13:7.)

On July 30, 2019, the Court entered an Order requiring the Government to "produce material pursuant to 18 U.S.C. § 3500 and FRE Rule 26.2 to the defendant by September 6, 2019." (Dkt. 120 (the "July 30 Order").) In order to comply with the July 30 Order, the Government was required to produce the Sealed Plea Documents to Mr. Boustani by

¹ On June 17, 2019, Mr. Boustani moved to unseal the two documents filed under seal in connection with Ms. Subeva's guilty plea and, following Mr. Pearse's guilty plea, moved to unseal the two documents filed in connection with Mr. Pearse's guilty plea as well. (Dkt. 84, 122.) The Court heard oral argument on that motion on August 21, 2019, but has not yet issued a ruling. Mr. Boustani respectfully requests that the Court order limited unsealing of the Sealed Plea Documents prior to ruling on Mr. Boustani's motion to unseal the Sealed Plea Documents in their entirety.

September 6, 2019. We understand from conversations with the Government that on September 6, 2019, the Government moved this Court to unseal the Sealed Plea Documents for the limited purpose of compliance with the Government's obligations under 18 U.S.C. § 3500 and the July 30 Order. (Dkt. 155 & 156.) The Government has advised us that it has not fully complied with its pretrial discovery obligations to Mr. Boustani because the Sealed Plea Documents remain under seal.

For the foregoing reasons, Mr. Boustani respectfully requests that the Court order limited unsealing of the Sealed Plea Documents for the purpose of permitting the Government to provide those documents to Mr. Boustani in connection with its pretrial disclosure obligations and to allow Mr. Boustani to adequately prepare for trial. As noted above, the Government consents to this motion. A proposed order is attached hereto as Exhibit A for the Court's convenience.

Dated: New York, New York
October 2, 2019

WILLKIE FARR & GALLAGHER LLP

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